REMARKS

The Examiner has rejected Claims 1, 3, 5-6, 10, 15-16, 19-20, 25-26, and 38 under 35 U.S.C. 103(a) as being unpatentable over Doub (U.S. Patent No. 6,594,762), in view of Applicant's Admitted Prior Art (Specification, pages 2-3), hereinafter AAPA, in view of Lin (U.S. Patent No. 6,326,891), and in further view of Vance (U.S. Patent No. 5345,383). Further, the Examiner rejected Claims 1, 3, 5-6, 10, 15-16, 19-20, 25-26, and 34-38 under 35 U.S.C. 103(a) as being unpatentable over Doub, in view of AAPA, in view of Lin, and in further view of Henrie (U.S. Patent No. 6,804,699). In addition, the Examiner rejected Claims 29, 31, and 33 under 35 U.S.C. 103(a) as being unpatentable over Doub in view of Lenz (U.S. Publication No. 2001/0053947), in view of Lin, and in further view of Vance. Also, the Examiner rejected Claims 29, 31, and 33 under 35 U.S.C. 103(a) as being unpatentable over Doub in view of Lenz, in view of Lin, and in further view of Henrie. Applicant respectfully disagrees with such rejections, especially in view of the amendments made hereinabove to the independent claims.

With respect to the independent claims, the Examiner has relied on Col. 3, lines 38-41 from the Lin reference to make a prior art showing of applicant's claimed technique "wherein the control unit includes a control unit display, the control unit display being configured to display information associated with the device when it is determined that the device is not within the range of communications of the control unit" (see this or similar, but not necessarily identical language in the independent claims).

> "The display unit 13 contains 4 LEDs that represent 4 slave transceivers respectively. When a slave transceiver is located within the security range, the related LED is darkened; or it is lightened otherwise." (Lin, Col. 3, lines 38-41)

Applicant respectfully asserts that the excerpt from Lin relied upon by the Examiner merely discloses that "[t]he display unit 13 contains 4 LEDs that represent 4 slave transceivers respectively" (emphasis added). In addition, Lin discloses that "[w]hen a slave transceiver is located within the security range, the related LED is darkened; or it is lightened otherwise" (emphasis added). However, the mere disclosure

that the display unit darkens the otherwise lighted related LED of a slave transceiver when it is located within the security range fails to even suggest a technique "wherein the control unit includes a control unit display, the control unit display being configured to display **information** associated with the device when it is determined that the device is not within the range of communications of the control unit" (emphasis added), as claimed by applicant. Clearly, the mere disclosure that a related LED is lighted when out of the security range fails to even suggest that "the control unit includes a control unit display, ... [which is] configured to display information associated with the device when ... the device is not within the range of communications of the control unit" (emphasis added), as claimed by applicant.

Further, with respect to the independent claims, the Examiner has relied on Col. 6, lines 29-34 from the Vance reference to make a prior art showing of applicant's claimed technique "wherein the device includes a device display, the device display being configured to display information associated with the control unit when it is determined that the device is not within the range of communications of the control unit" (see this or similar, but not necessarily identical language in the independent claims).

> "If the parameter's flag is set in memory and **the elapsed time since the parameters data was last received exceeds the update period, the communication link will be diagnosed as faulty and the gauge or indicator light driven by the parameters data will indicate an out of range condition.**" (Vance, Col. 6, lines 29-34 - emphasis added)

Applicant respectfully asserts that the excerpt from Lin relied upon by the Examiner merely teaches that if "the elapsed time since the parameters data was last received exceeds the update period, the communication link will be diagnosed as faulty and the gauge or indicator light driven by the parameters data will indicate an out of range condition" (emphasis added). However, the mere disclosure that a gauge or indicator light indicates an out of range condition when the communication link is diagnosed as faulty fails to even suggest a technique "wherein the device includes a device display, the device display being configured to display information associated with the control unit when it is determined that the device is not within the range of

communications of the control unit" (emphasis added), as claimed by applicant. Clearly, the mere suggestion of an indicator light which indicates a faulty communication link fails to teach that "the device includes a device display, [and that] the device display [is] configured to display information associated with the control unit" (emphasis added), in the manner as claimed by applicant.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*,947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir.1991).

Applicant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the prior art references, when combined, fail to teach or suggest all of the claim limitations, as noted above. Nevertheless, despite such paramount deficiencies and in the spirit of expediting the prosecution of the present application, applicant has amended the independent claims to further distinguish applicant's claim language from the above references by substantially incorporating following the subject matter:

> "wherein the device is configured to periodically send the identifying signal utilizing a period of time which is configured based on movements of an owner" (see this or similar, but not necessarily identical language in the independent claims).

Applicant respectfully asserts that Col. 4, lines 50-54 from the Doub reference merely discloses that "[i]f a time-out occurs while waiting for the reply signal to be

received (block 310), the display 115 is disabled, the time-out counter 225 is reset (block 315) and the transmit signal is re-transmitted (block 305)" (emphasis added). However, the mere disclosure that the time-out counter is reset and the transmit signal is re-transmitted after a time-out occurs fails to even suggest a technique "wherein the device is configured to periodically send the identifying signal utilizing a period of time which is configured based on movements of an owner" (emphasis added), as claimed by applicant.

Applicant further notes that the prior art is also deficient with respect to the dependent claims. For example, with respect to Claim 6, the Examiner has relied on Col. 3, line 19 to Col. 4, line 63 from Doub, and page 2, line 7-15 from the AAPA references to make a prior art showing of applicant's claimed technique "wherein the device is exclusively registered with the control unit."

Applicant respectfully asserts that the excerpt from Doub relied upon by the Examiner merely discloses that "during an initial set-up procedure, the user may input a password or other data into the electronic device 100 and the remote device 110 to create the first authentication code" where "the electronic device 100 checks the reply signal for the data or password provided by the user" (emphasis added). Further, Doub teaches that "[i]f the reply signal does not include the correct first authentication code, the display controller 210 will not enable the display 115." However, merely teaching that the user inputs a password into the electronic device and remote device and that the electronic device checks the reply signal for the password before enabling the display fails to even suggest a technique "wherein the device is exclusively registered with the control unit" (emphasis added), as claimed. Clearly, Doub's teachings that the electronic device enables the display if the reply signal contains the correct password fails to event suggest a technique "wherein the device is exclusively registered with the control unit" (emphasis added), as claimed by applicant.

Further, applicant respectfully asserts that the excerpt from AAPA relied upon by the Examiner merely teaches that "the mode of transmission adopted in the Bluetooth specification generally ensures the security of signals that are transmitted, and provides

protection from interference." However, the mere disclosure of Bluetooth ensuring security of transmitted signals and protection from interference fails to even suggest a technique "wherein the device is exclusively registered with the control unit" (emphasis added), as claimed by applicant.

Again, applicant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the prior art references, when combined, fail to teach or suggest all of the claim limitations, as noted above. Thus, a notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

To this end, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAI1P312/01.048.02).

Respectfully submitted,
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